

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
JOHNSTOWN DIVISION**

ANTHONY J. ZANGHI, *et al.*

Plaintiffs,

v.

FREIGHTCAR AMERICA, INC., *et al.*,

Defendants.

No.: 3:13-CV-00146

Hon. Kim R. Gibson

**SUPPLEMENTAL APPENDIX TO DEFENDANTS' MOTION FOR SUMMARY
JUDGMENT**

Defendants FreightCar America, Inc., Johnstown American Corporation, and Johnstown American Corporation USWA Health and Welfare Plan (collectively, "FreightCar") hereby submit the following Supplemental Appendix pursuant to Rule 56(B)(3) of the Local Civil Rules for the Western District of Pennsylvania. The attached evidence is submitted in support of Defendants' Response to Plaintiffs' Motion for Summary Judgment, filed simultaneously herewith.

INDEX TO SUPPLEMENTAL APPENDIX

SJ Ex.	Document	Description	Date	Bates
56.	Duray Dep.	Deposition of Mark Duray	12/18/2003	None
57.	Plunkard Dep.	Deposition of W. John Plunkard	05/27/2004	None
58.	Mitchell R & R	Magistrate Judge Mitchell, February 24, 2003 Report and Recommendation	10/18/1991	None

Dated: August 22, 2014

Respectfully Submitted,

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AND JOHNSTOWN AMERICA CORPORATION
USWA HEALTH & WELFARE PLAN**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system this 22nd day of August, 2014. Any other counsel of record will be served by facsimile transmission and/or first class mail.

/s/ Sam P. Myler
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